REMARKS

This application has been reviewed in light of the Office Action dated April 9, 2004. Claims 11-30 are presented for examination, of which Claims 11, 16, 21, and 26 are in independent form.[1] Claims 12, 13, 18, 20 and 22-29 have been amended as to matters of form; none of these changes are either intended, or believed, to narrow the scope of any claim recitation. Favorable reconsideration is requested.

Applicant gratefully acknowledges the indication that Claims 12, 14, 15, 17, 19, 20, 22, and 27 include allowable subject matter would be allowable if rewritten so as not to depend from a rejected claim, and with no change in scope. Nonetheless, these claims have not been so rewritten because, for the reasons given below, their respective base claims are believed to be in condition for allowance.

An Information Disclosure Statement and a corresponding PTO-1449 form were submitted on November 6, 2001, as evidenced by a returned receipt postcard bearing the stamp of the U.S. Patent and Trademark Office, a copy of which is attached hereto. Applicant respectfully requests the Examiner to return an initialed copy of the PTO-1449 form, indicating that the patent thereon has been considered and made or record in the present application.

Claims 11, 13, 16, 18, 21, 23-26, and 28-30 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,791,492 (Nagashima et al.).

Applicant has carefully studied the rejection and the prior art, but finds himself unable to agree with the Examiner's position, for the following reasons.

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[1] It is noted that Claims 1-10 were canceled in the Preliminary Amendment filed with this divisional application.

Independent Claim 11 is directed to an apparatus having a print function and a reading function. That apparatus has print function realizing means having a first mode of realizing the print function with a smaller memory capacity and a second mode of realizing the print function with a relatively large memory capacity. Also provided in the apparatus of Claim 11 are discrimination means for discriminating whether the print of the image specified by the print data from an external apparatus is to be realized by the first or second mode, and control means adapted, in a case in which it is judged that the printing is to be realized by the first mode, to allow parallel execution of the print function and the reading function, and, in a case in which the printing is to be realized by the second mode, to inhibit such parallel execution.

Nagashima relates to a system in which image signals from a reader unit can be transmitted to plural image forming units to reproduce several images simultaneously. A signal transmitting unit is utilized for this purpose, and has a function of synchronizing each of the image forming units independently, so as to avoid failure or a delay in operation of all the units as a result of a failure in the synchronization of one of them.

In Fig. 1, the plural readers and the plural printers are connected to each other appropriately through a multi-input multi-output unit (MIMOU) 3. With this structure, these devices can operate selectively in a single mode or a multi-mode (plural-unit mode). In the single mode, identification numbers are respectively given to the readers and the printers, and the original image data read by the reader (which has one identification number) is transmitted through the MIMOU 3 to the printer that has the same identification number, and is then printed.

In the multi-mode, in contrast, in a case where plural copies of the original image data read by the reader are to be printed, the printing job is divided and distributed to the

plural printers, and then the divided portions of the image data are printed by respective ones of the printers. In this procedure, the original image data read by the reader is stored in the MIMOU 3, and a manual selection is made by the user on the operation section of the printer (or an automatic selection can instead be made by the MIMOU 3) as to which printer is to print the corresponding portion of the image data.

In the Office Action, Applicant notes that the Examiner asserts that the external apparatus of Claim 11 corresponds to the readers 101-104 of Fig. 3 of *Nagashima*, and that the reader of Claim 11 is met by column 5, lines 23-26, of *Nagashima*. Applicant respectfully points out, however, that in *Nagashima*, as well as the readers 101-104, the disclosure at column 5, lines 23-26, also relates to the reading operation. If the readers 101-104 of *Nagashima* are considered as corresponding to the external apparatus of Claim 11, then the function corresponding to the reader function of Claim 11 does not exist in *Nagashima*. Conversely, if these readers of *Nagashima* are considered to be the reading function of Claim 11, then nothing in *Nagashima* would correspond to the external apparatus of Claim 11. In conclusion, Applicant strongly urges that nothing in *Nagashima* would teach or suggest a structure which includes both the print function and the reading function recited in Claim 11.

In addition, it is indicated by the Examiner that the first mode of Claim 11 corresponds to the single-copy mode of *Nagashima*, and that the second mode of Claim 11 corresponds to the multiple-copy mode of *Nagashima*. Applicant respectfully points out, however, that *Nagashima* is quite silent about the memory capacity used in the second mode being larger than that used in the first mode. Accordingly, Applicant cannot see how one could consider any modes in *Nagashima* to correspond to the first mode and the second modes recited

in Claim 11. *A fortiori*, since these modes are not in fact even hinted at by anything in *Nagashima*, it follows that nothing in that patent could teach or suggest any structure for discriminating such two modes.

Since column 20, lines 20-32, of *Nagashima*, indicated by the Examiner, show that the image read by the reader is output by the printer, Applicant surmises that the Examiner considers that the reader and the printer operate in parallel in *Nagashima*. Applicant respectfully points out. however, that according to Claim 11, the function for printing the print data *sent from the external apparatus* is executed in parallel with the reading function. Thus, if the reader of *Nagashima* is considered as the external apparatus referred to in Claim 11, as discussed above, it is apparent that no function that could possibly be considered as corresponding to the reading function that, according to Claim 11, is to be executed in parallel with the print function, is to be found in *Nagashima*. In addition, if the reader of *Nagashima* is considered as the reading function of Claim 11, when the *Nagashima* system causes the printer to output the image read by this reader, that is not the printing of print data sent from an external apparatus (that is, this reader then cannot be the external apparatus). Accordingly, Applicant believes it to be clear that nothing in *Nagashima* can properly be considered to teach or suggest any parallel operation corresponding to that recited in Claim 11.

Applicant also notes that the passages at column 14, lines 60-66, and column 12, lines 22-24, in *Nagashima* cited by the Examiner merely have to do with various commands and statuses being exchanged between the reader and the MIMOU, and do not at all relate to inhibition of parallel operations. Accordingly, Applicant also submits that nothing in *Nagashima* should properly be deemed to correspond to the control means recited in Claim 11.

For all these reasons, Applicant strongly urges that Claim 11 is allowable over *Nagashima*.

Independent Claim 21 is directed to an apparatus provided with a copy function for printing an original image read by reader means and a printing function for printing an image specified by print data from an external apparatus, just as is Claim 11. The apparatus of Claim 21 comprises discrimination means adapted, in case of a request for copying in the course of a print job which includes printing of plural pages, to judge whether the print job is to be interrupted based on a requested copy condition a status of the apparatus, or both, and control means that, it the discrimination means judge that the print job is to be interrupted, interrupt the print job and to execute the requested copying operation.

It is indicated by the Examiner that the copy function of Claim 21 corresponds to what is discussed at column 10, lines 55-62, of *Nagashima*, and that the external apparatus in the printing function of Claim 21 correspond to the readers 101-104 of *Nagashima*. Here, the special operation unit 250 shown in the disclosure at column 10, lines 55-62, of *Nagashima* is the operation unit acting for the readers 101-104 which have been considered by the Examiner to correspond to the external apparatus of Claim 21. Both the operations in the copy function and the printing function are common in the point that the original image read by any one of the readers 101-104 is output by one or plural printers through the MIMOU. In any case, even if these readers 101-104 are considered to correspond to the reader means of Claim 21 or the external apparatus of Claim 21, as already mentioned with respect to Claim 11 above, it is believed to be apparent that nothing in *Nagashima* would teach or even suggest any structure that includes both the print function and the reading function.

In addition, in *Nagashima*, in a case in which a copy request in the single mode is issued from the reader while the printing operation in the multi-mode is being performed, one of the printers which are operating in the multi-mode completes the current copying of one screen and thereafter performs the copying in the single mode requested by the reader, after changing the multi-mode to the single mode. However, this operation of *Nagashima* merely permits interruption, and does not actually make a determination as to whether the interruption shall be performed. In fact, Applicant submits that nothing in *Nagashima* would teach the discrimination means of Claim 21 or discriminating whether an interruption is to be performed, based on the status of the device (either alone or in combination with another basis).

For these reasons, again Claim 21 is believed to be clearly allowable over *Nagashima*.

Claims 16 and 26 are method claims corresponding to the apparatuses recited in Claims 11 and 21, respectively, and are deemed allowable for the same reasons as are discussed above in connection with Claims 11 and 21.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the

invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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